



STAFF REPORT

CITY OF COLUMBUS PLAN COMMISSION (October 12, 2011 Meeting)

Docket No. / Project Title: RZ-11-05 (Persistence of Indiana, LLC)
Staff: Thom Weintraut
Applicant: Persistence of Indiana, LLC
Property Size: 7.76 Acres
Current Zoning: CC (Community Commercial) with conditions
Proposed Zoning: CC (Community Commercial) with amended conditions to allow multi-family residential use.
Location: 1225 7th Street, the southwest corner of 7th Street and Reeves way, and the north side of 7th Street approximately 90 feet east of Wilson Street in the City of Columbus.

Background Summary:

The applicant has indicated that the proposed rezoning is for the purpose of adding multi-family residential to the list of uses. In 2004 when this property was rezoned from industrial to commercial there were conditions limiting the uses to those that would be compatible with the surrounding residential properties. Among those uses were service, retail, office and light industrial uses that are primarily contained within a structure. The prior zoning ordinance did not permit residential uses in commercial districts.

Key Issue Summary:

The following key issue(s) should be resolved through the consideration of this application: Is multi-family use appropriate for this location? If so, should it be limited to the portion of the property south of 7th Street and should there be limit on the number of dwelling units per acre?

Preliminary Staff Recommendation:

Favorable recommendation to the City Council with the following conditions:

1. The Multi-family use shall limited to the portions of the property located south of 7th Street.
2. The permitted density of the multi-family development shall meet the density standards of the RM (Residential: Multi-family) district as amended from time to time.

Plan Commission Options:

In reviewing a request for rezoning the Plan Commission may (1) forward a favorable recommendation to the City Council, (2) forward an unfavorable recommendation to the City Council, (3) forward the application to City Council with no recommendation, or (4) continue the review to the next Plan Commission meeting. The Plan Commission may attach conditions to any recommendation which are to become written commitments of the applicant. The City Council makes all final decisions regarding rezoning applications.

Decision Criteria:

Indiana law and the Columbus Zoning Ordinance require that the Plan Commission and City Council pay reasonable regard to the following when considering a rezoning:

The Comprehensive Plan.

Preliminary Staff Comments: The rezoning is supported by the Comprehensive Plan. The Plan promotes the wise use of land and encourages the use of infill development, reuse of existing buildings, and revitalization of older neighborhoods. The Plan also supports the development of a variety of new housing types where there is adequate infrastructure and public services available.

The current conditions and the character of current structures and uses in each district.

Preliminary Staff Comments: The property is located in an area that is “urban” in character with many of the buildings reflecting development from the early to mid 20th Century. Urban areas typically have a mixture of higher density residential, commercial and industrial uses. The area of the proposed rezoning has a full range of existing infrastructure, including sidewalks, and is close to: public transportation; the Haw Creek People Trail; and the Downtown area with its services.

The most desirable use for which the land in each district is adapted.

Preliminary Staff Comments: The Comprehensive Plan shows this area as industrial, however is it located adjacent to commercial, industrial and residential uses. The proposed addition of multi-family use to the list of permitted uses provides the flexibility for combining these uses into a mixed use building project and expands the opportunities to revitalize the neighborhood. Allowing for the mixed use type of development will also provide a transitional area between the residential areas to the north and east and the commercial and industrial areas to the south and west.

The conservation of property values throughout the jurisdiction of the City of Columbus.

Preliminary Staff Comments: The property values of the nearby properties will not be affected in an adverse manner if the proposed rezoning is approved. The subject property is currently zoned for commercial and light industrial types of uses and the surrounding residential properties are a mixture of single and multi-family uses. All city services are available to this site as is a network of streets, sidewalks, trails and public transportation.

Responsible growth and development.

Preliminary Staff Comments: The subject property is located within the urban core of the City of Columbus and is provided with a full range of services suitable for multi-family residential. The request will allow flexibility in the use of an existing building or site within an area that is designed for and accustomed to higher-density use and therefore making wise use of existing infrastructure.

Current Property Information:	
Land Use:	The parcel at 1225 7 th Street contains office space, a warehousing operation, a facility maintenance company, unoccupied industrial space and parking. The property on the southwest of Reeves Way and 7 th Street and the property north of 7 th Street are parking lots.
Site Features:	1225 7 th Street parcel has 198,900 square foot building, parking on the east and south sides of the building and landscaping. The two parking lots are paved and contain landscaping.
Flood Hazards:	There are no flood hazards on the site.
Special Circumstances: (Airport Hazard Area, Wellfield Protection Area, etc.)	none

Vehicle Access:	The properties have access from 7 th Street, classified as a Collector, Urban, Residential street and from Reeves Way, Wilson Street and 6 th Street which are all classified as Local, Urban, Residential streets.
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Surrounding Zoning and Land Use:		
	Zoning:	Land Use:
North:	RE (Residential: Established)	Single and multi-family residential use
South:	I2 (Industrial: General)	Cummins Plant 1
East:	I2 (Industrial: General) RE (Residential: Established)	Warehousing Single and multi-family residential use.
West:	CC (Commercial: Community Center) CO (Commercial: Professional Office Center) RE (Residential: Established)	Restaurant, office and financial office use. Parking lot Single and multi-family residential uses.

	Existing Zoning: CC with Conditions
Zoning District Intent:	The CC zoning district is to intend to establish appropriate locations for a variety of businesses providing a variety of goods and services to the community and people who travel through to visit the community. This zoning district is not intended to be used along traffic corridors, but should be applied at significant intersections along major transportation routes. This district should only be applied to areas with adequate infrastructure and access to accommodate moderately high traffic volumes.
Permitted Uses:	<ul style="list-style-type: none"> • General business office use • Museums • Retail service uses, including department stores, furniture, carpet, interior decorating, upholstering, furrier, and office supply stores; restaurants and catering establishments; and storage, processing, and/or conditioning when incidental to any of these uses; • Use for Warehousing, distribution, storage, and transfer establishments, packing and crating uses: • Accessory uses which are incidental to, maintained on the same lot, and commonly associated with the operation of a permitted use; • Temporary uses; • And other permitted uses in the former B-5 District with traffic generating characteristics and parking requirements that may safely be accommodated on the property as determined by the City Engineer. • No parking, and no loading or unloading shall be permitted on 6th Street, 7th Street or Reeves Way along the property boundaries.

Water and Sewer Service:	Required
Lot and/or Density Requirements:	Minimum Lot Area: 10,000 square feet Maximum Lot Area: 10 acres
Setbacks Required: Front setbacks are determined by the Thoroughfare Plan Classification of the adjacent street and are the same regardless of zoning.	Side Yard Setback: Primary Structure: 10 feet Accessory Structure: 10 feet. Rear Yard Setback: Primary Structure: 10 feet Accessory Structure: 10 feet Front Yard Setback: Collector Street: 10 feet* Local Street: 10 feet* *25 feet for any auto service bay, auto fuel pump canopy, or other similar vehicle access points to structures.
Height Restrictions:	Primary Structure: 40 feet Accessory Structure: 25 feet
Floor Area Requirements:	None
Minimum Living Area per Dwelling:	Secondary: 500 square feet Multi-family: 500 square feet
Signs:	Wall Signs: Ground Floor Uses: Maximum number per frontage per use is 3 with a maximum of 15% of the front wall area up to 350 square feet. Upper Floor Uses: Maximum number per structure is 2 with a maximum of 15% of the front wall area up to 350 square feet. Freestanding Signs: Single Use Lot: 1 sign per frontage, a maximum of 100 square feet, and maximum 20 feet height. Multiple Use Lot: 1 sign per frontage, 1 primary element with a maximum of 100 square feet and up to 3 secondary elements with a maximum of 25 square feet per element. The maximum height is 20 feet.

Interdepartmental Review:	
City Engineering:	The no parking and loading condition should remain with the zoning change.
City Utilities:	No comments
Parks Department:	No issues.
MPO:	No issues.

History of this Location:

The relevant history of this property includes the following:

1. On August 9, 2004, a rezoning application was filed for this property requesting a change from I-2 (Medium Industrial) to B-5 (General Business). On September 21, 2004, the City Council approved the request with the following conditions:
 - a) Use of the property shall be limited to one or more of the following:
 - i. General business office uses;
 - ii. Museums;
 - iii. Retail service uses, including department stores, furniture, carpet, interior decorating, upholstering, furrier, and office supply stores; restaurants and catering establishments; and storage, processing, and/or conditioning when incidental to any of these uses;
 - iv. Warehousing, distribution, storage, and transfer establishments, packing and crating uses;
 - v. Accessory uses which are incidental to, maintained on the same lot and commonly associated with the operation of a permitted use;
 - vi. Temporary uses;
 - vii. And other permitted uses in the B-5 district with traffic generating characteristics and parking requirements that may safely be accommodated on the property as determined by the City Engineer.
 - b) No parking, and no loading or unloading shall be permitted on 6th Street, 7th Street, or Reeves Way along the property boundaries.
 - c) Prior to issuance of an initial zoning compliance certificate, a site plan for the entire property that meets current requirements of the zoning ordinance shall be approved by the Director of Planning; and any necessary variances or conditional use permits shall be approved by the Board of Zoning Appeals.
2. On October 21, 2004, the Landscape Review Committee approved a request (LRC-04-04) for relief from the total landscaping point requirements of the zoning ordinance.
3. On November 3, 2004 a zoning compliance certificate (C/ZC-11-04-3) was issued for the property detailing the proposed uses of the property and for signage on the East and North walls of the building. The zoning compliance approval was subject to approval by the Board of Zoning Appeals for a variance to allow a building to encroach into the building setback and a reduction in the number of required parking spaces and a conditional use approval for the use of offsite parking for the building. This Zoning Compliance Certificate satisfied the third condition of the rezoning approval.
4. On December 14, 2004, the Hearing Officer for the Board of Zoning Appeals approved a request for a development standards variance (C/DS-04-14) to allow a building to encroach into the building setback line for 6th and 7th Streets and a conditional use permit (C/CU-04-11) to allow the use of off-site parking. The petitioner had provided documentation that the existing parking spaces on the building site and the adjacent parking lots would satisfied the parking requirements for the uses approved by the Zoning Compliance Certificate (C/ZC-11-04-3).

5. In 2008 when the revisions to the Zoning Ordinance were adopted and the zoning district on the property changed to CC (Community Commercial), however the recorded conditions of the prior rezoning, which included a list of permitted uses, are still in effect on this property.

Comprehensive Plan Consideration(s):

The Future Land Use Map indicates the future use of this property as Industrial.

The following Comprehensive Plan goal(s) and/or policy(ies) apply to this application:

1. **Goal A-1:** Maintain the small city atmosphere as the community grows.
2. **Policy A-1-1:** Encourage mixing of housing prices in all geographic areas of the city.
3. **Goal A-2** Preserve & enhance the character of the community.
4. **Policy A-2-3:** Ensure that development takes place in a manner which allows for preservation of farmland, open space, and significant natural features whenever possible and desirable.
5. **Policy A-2-9:** Preserve and enhance the character of neighborhoods.
6. **Policy A-2-12:** Encourage maintenance of buildings and ground.
7. **Policy A-2-18:** Maintain and enhance neighborhood-scale business areas, with special attention to the unique character of each area.
8. **Goal A-4:** Promote wise efficient use of limited resources and nonrenewable resources, including but not limited to capital and land.
9. **Policy A-4-1:** Preserve & revitalize older neighborhoods, including buildings, grounds, and infrastructure.
10. **Policy A-4-2:** Encourage infill development, and/or use of vacant parcels for projects such as parks or other amenities which compliment the neighborhoods in which they are located.
11. **Policy A-4-4:** Encourage residential clustering and other development types that conserve open space and natural resources and reduce infrastructure costs.
12. **Policy A-4-6:** Encourage wise use of infrastructure dollars.
13. **Policy A-4-7:** Require new development to take place in an orderly fashion to facilitate efficient provisions of services at reasonable cost.
14. **Goal D-1:** Develop new housing where adequate public services can be provided economically.
15. **Policy D-1-1:** Promote orderly housing expansion in locations where the city's infrastructure and services have the capacity to accommodate the growth.
16. **Policy D-1-3:** Encourage development adjacent to already developed areas.
17. **Goal D-2:** Encourage development of a sufficient supply of diverse housing types, sizes, and price ranges in the community.
18. **Policy D-2-2:** Allow for various housing types.
19. **Policy D-2-6:** Encourage development of a sufficient supply of housing in all price ranges so that all citizens of the community can enjoy decent, safe, and sanitary housing in desirable neighborhood settings.
20. **Policy D-3-1:** Encourage projects which improve and revitalize neighborhoods.

This property is located in the Columbus Central Neighborhoods character area. The following Planning Principle(s) apply to this application:

1. Infill development that complements existing neighborhoods should be encouraged.
2. The City should develop a strategy for encouraging reuse or replacement of empty buildings.

Planning Consideration(s):

The following general site considerations, planning concepts, and other facts should be considered in the review of this application:

1. The site contains a building that was part of the industrial development that shaped the City of Columbus. As with most industrial development in the early 20th century, the building was located near a residential area that provided housing to the workforce.
2. The current building is approximately 200,000 square feet. It has had several additions made to it over a period of time to meet the changing needs of the use. However as technology for manufacturing, transportation and logistics, and labor have evolved, the building has become obsolete for many industrial uses.

3. The size of the building and the limited number of parking spaces makes this location less than desirable for many large scale retailers.
4. While the CC (Community Commercial) district now allows multi-family use as a conditional use, when the property was rezoned with conditions in 2004, the zoning ordinance at the time, did not allow multi-family residential in commercial zoning districts other than the C-3: Central Business District (Downtown). This rezoning request will allow the multi-family use as a conditional use (because it is listed as such in the CC zoning District).
5. The residential areas adjacent to this property are urban in nature with a mixture of primarily single-family structures with some multi-family conversions. These areas have a density of approximately 10 lots per acre.
6. The existing building currently provides a transitional buffer between the Cummins industrial use and the residential uses north of 7th Street. Multi-family use is an appropriate transitional buffer use between single family residential uses and commercial and industrial uses.
7. The site is located along bus Route 3. The bus uses 8th Street as its out bound route from downtown to the hospital, the residential neighborhoods in and around 25th Street, Taylor Road, and Flintwood Drive area, Target, the United Way building and returning to downtown via 7th Street.
8. The site is just over 1/2 mile from downtown which provides specialty retail, dining, and entertainment venues. The site is approximately 1 mile from shopping areas along State Street, 1.5 miles from the 25th and Central Avenue shopping area and 1.8 miles from US 31 and 10th Street area. However there is a convenience store at 3rd and Chestnut Street less than 0.5 miles.
9. The site is approximately 1/4 mile from the Haw Creek People Trail and approximately 1/2 mile to the Bartholomew County Public Library and The Commons.
10. The nearest park area is the 9th Street Park (9th and Wilson Streets) which is a small neighborhood park that is about 17,000 square feet in area. Mill Race, Noblitt and Donner Parks are between 0.8 and 1 mile from the site and Lincoln Park is 1.3 miles from the site.
11. The Columbus Bicycle and Pedestrian Plan shows 2 projects that will take place near the site. The first project, the Central Neighborhoods Bicycle Route, would connect the Haw Creek Trail and Mill Race Park with a route west along 6th Street to Chestnut where it would divide and continue either south to 5th Street or north to 11th Street and then west to Mill Race Park. The second project is the intersection improvement of 7th Street and Central Avenue which would provide a more convenient and safer crossing for cyclist between the Haw Creek Trail and Central Neighborhoods Bicycle Route.
12. The property at 1225 7th Street with the existing building is approximately 6 acres and based on a density of 25 units per acre could have up to 150 apartment units. The parking lot on the southwest corner of 7th Street and Reeves Way is approximately 0.7 acres and could have around 17 units and the parking lots north of 7th Street contain approximately 0.9 acres allowing for a maximum of 22 apartment units.
13. This property is readily served by a network of streets that can accommodate higher volumes of traffic associated with multi-family use. The property is located on 7th Street which is classified as a Collector, Urban, Residential street. 8th Street to the north and California and Chestnut Streets 2 and 3 blocks to the west are also classified as Collector, Urban, Residential streets. The 10th/11th Street corridor 3 blocks to the north is classified as a Minor Arterial, Urban Residential street, Central Avenue 4 blocks to the east is a Primary Arterial, Urban, Residential street and to the south 4 blocks are 2nd and 3rd Streets which are classified as Primary Arterial, Urban Commercial streets.